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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 MATTHEW RITTER,

8 Plaintiffs,

9 vs.

10 CORPORAL MATT ALEXANDER,
11 DEPUTY COLBY, LIEUTENANT
12 CARL COX, DEPUTY HAWKINS,
13 LIEUTENANT KOLSH, CORPORAL
14 SONGER, DEPUTY NEFF, DEPUTY
15 MARY, DEPUTY PHILL RATLIFF,
DOCTOR RICK ALMAGUER,
HEAD SHERIFF DALE LOTSPEICH

Defendants.

2:09-CV-00111-PMP-PAL

ORDER

16 This action concerns allegations by Plaintiff Matthew Ritter regarding the
17 conditions of his confinement in the Elko County Jail during periods of detention in
18 2007 and 2008. Ritter's Amended Complaint (Doc. #21) sets forth eleven causes of
19 action relating to the alleged denial of medical attention for Ritter's injured left index
20 finger (Count One); Ritter's dispute with Elko County Jail staff regarding medical
21 attention for an alleged infection under his left armpit (Count Two); Ritter's
22 complaint regarding Defendants' treatment of the same left armpit infection in June
23 2007(Count Three); Ritter's allegation that he was placed into an isolation cell after
24 receiving medical treatment (Count Four); Ritter's allegations regarding Defendants'
25 treatment of his left armpit infection in late June and early July (Count Five); Ritter's
26 allegations regarding his placement into isolated confinement during late

1 June and early July 2007 (Count Six); Ritter's allegations concerning Defendants'
2 treatment of his left armpit infection in July 2007 (Count Seven); Ritter's allegations
3 concerning his placement into isolated confinement and denied visitation (Count
4 Eight); Ritter's allegations concerning a shoulder injury and related treatment (Count
5 Nine); Ritter's allegations that an overflowing shower drain caused him to slip and
6 fall, and injure his shoulder (Count Ten) and Ritter's additional allegations of
7 isolated confinement and denial of visitations (Count Eleven).

8 Before the Court for consideration are Cross Motions for Summary
9 Judgment brought by Plaintiff Matthew Ritter (Doc. #105), filed on February 22,
10 2010, and on behalf of all Defendants (Doc. #106) filed February 24, 2010.

11 Having read and considered the extensive briefing and exhibits submitted
12 by the parties regarding the cross motions for summary judgment, the Court finds
13 that Plaintiff Ritter has failed to show genuine material issues of fact exist regarding
14 his eleven claims for relief against Defendants herein. In particular the Court finds
15 that Ritter has failed to identify evidence giving rise to a genuine issue of fact
16 concerning deliberate indifference on the part of Defendants with regard to Plaintiff
17 Ritter's medical needs, and with respect to his claims of denial of constitutional
18 rights with respect to his placement in isolation and denial of visitation. Therefore,
19 the Court finds that Defendants' are entitled to judgment as a matter of law in accord
20 with the provision of Rule 56 of the Federal Rules of Civil Procedure.

21 Additionally, the Court finds that as a result of Ritter's failure to show a
22 genuine issue of material fact regarding Defendants' violation of a clearly
23 established constitutional right, each of the Defendants herein is entitled to qualified
24 immunity in their official capacities.

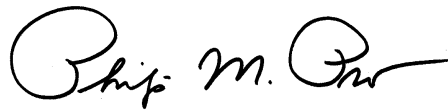
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1 **IT IS THEREFORE ORDERED** that Plaintiff Matthew Ritter's Motion
2 for Summary Judgment (Doc. #105) is **DENIED**.

3 **IT IS FURTHER ORDERED** that Defendants' Motion for Summary
4 Judgment (Doc. #106) is **GRANTED** and that the Clerk of Court shall enter
5 judgment in favor of Defendants and against Plaintiff Ritter.

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7 DATED: April 20, 2010.

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10 PHILIP M. PRO
11 United States District Judge
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